

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: QWEST CORPORATION	DOCKET NO. RPU-01-6
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ORDER GRANTING MOTION TO PROCEED WITHOUT HEARING

(Issued December 11, 2001)

On December 10, 2001, a telephone conference call was held at the request of the parties. Present on the call were Mr. David Sather, attorney for Qwest Corporation (Qwest), and Mr. Don Henry, attorney for the Consumer Advocate Division of the Department of Justice (Consumer Advocate). The parties reported they had spoken with a representative of Sprint Communications Company L.P. (Sprint), and Sprint did not wish to participate in the conference call and had no objection to proceeding without a hearing. They reported that Sprint had not yet decided whether to file a brief or not. There are currently no other parties in this case.

During the conference call, the parties jointly requested that this case proceed without a hearing, and that the issues be decided on the written record. The parties agreed to certain other procedures as ordered below.

Based upon the agreed procedures ordered below, the motion will be granted.

On November 27, 2001, AT&T filed a motion to withdraw from the case. The motion was granted in an order issued December 3, 2001.

IT IS THEREFORE ORDERED:

1. The parties must file a written joint motion containing the request.

Qwest and the Consumer Advocate may state that Sprint joins in the motion if Sprint authorizes them to do so. The motion must contain an express waiver of the parties' rights to cross-examination and hearing. The motion must include a statement of the additional information and briefs the parties plan to submit. The motion must include a stipulation that the prefiled testimony and any future testimony and answers to questions is admitted and may be spread upon the record.

2. The joint request to submit this case on the written record and proceed without a hearing is hereby granted, subject to the procedures set forth in this order.

3. Since AT&T has withdrawn from the case, AT&T's evidence will not be considered to be a part of the evidentiary record in the case.

4. The undersigned will submit written questions to the parties. Although the questions will most likely be directed to a particular witness, all other parties who wish to have their witnesses answer the question may do so, and must do so by the deadlines set forth below.

5. If necessary, the undersigned may submit a follow-up round of questions to the parties. The scope of the questions in the first round does not limit the scope of questions that may be asked in the second round. If a second round of questions is deemed necessary, the following briefing schedule will be modified.

6. After reviewing the evidence and answers to questions, the undersigned may find that a hearing on limited issues is necessary. This hearing may be held by telephone conference call.

7. The parties must submit the following information. In any state where § 271 approval has been granted by the FCC, if part of the cost of the OSS modification was allocated to the RBOC, provide a copy of the order. If the issue was discussed in any FCC order, even if the allocation to the RBOC was zero, provide a copy of the order.

8. The following procedural schedule is adopted:

a. The parties must submit the joint motion as soon as possible and no later than Monday, December 17, 2001.

b. The undersigned will submit written questions to the parties by Thursday, December 20, 2001.

c. The parties must submit answers to questions by Wednesday, January 9, 2002. The parties must also submit copies of the FCC Orders referred to in paragraph seven by January 9, 2002.

d. The undersigned will notify the parties whether or not a second round of questions is necessary by Wednesday, January 16, 2002.

e. The parties may file simultaneous initial briefs on or before Wednesday, February 6, 2002.

f. All parties who filed initial briefs may file reply briefs on or before
Wednesday, February 20, 2002.

UTILITIES BOARD

/s/ Amy L. Christensen
Amy L. Christensen
Administrative Law Judge

ATTEST:

/s/ Sharon Mayer
Executive Secretary, Assistant to

Dated at Des Moines, Iowa this 11th day of December, 2001.